PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Masataka ANDOH, et al.

Docket No: Q79665

Appln. No.: 10/766,011

Group Art Unit: 1631

Confirmation No.: 2008

Examiner: Unknown

Filed: January 29, 2004

For: SYSTEM, METHOD, AND PROGRAM FOR ESTIMATING GENE EXPRESSION STATE, AND RECORDING MEDIUM THEREFOR

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

1. Newton et al., "On Differential Variability of Expression Ratios: Improving Statistical Inference about Gene Expression Changes From Microarray Data", Journal of Computational Biology, Vol. 8, No. 1, 2001, pages 37-52.
2. Lee et al., "Importance of Replication in Microarray Gene Expression Studies: Statistical Methods and Evidence from Repetitive cDNA, Hybridizations", Proceedings of the National Academy of Sciences, 2000, Vol. 97, No. 18,

pages 9834-9839.

3. Chen et al., "Ratio-Based Decisions and the Quantitative Analysis of cDNA Microarray Images", Journal of Biomedical Optics, October 1997, Vol. 2, No. 4, pages 364-374.

4. Dudoit et al., "Statistical Methods for Identifying Differentially Expressed Genes in Replicated cDNA Microarray Experiments", Statistica Sinica, December 2002, pages 111-139.

5. Schuchhardt et al., "Normalization Strategies for cDNA Microarrays", Nucleic Acids Research, Oxford University Press, 2000, Vol. 28, No. 10, pages i-v.

6. Yang et al., "Normalization for cDNA Microarray Data: A Robust Composite Method Addressing Single and Multiple Slide Systematic Variation", Nucleic Acids Research, Oxford University Press, 2002, Vol. 30, No. 4, pages 1-10.

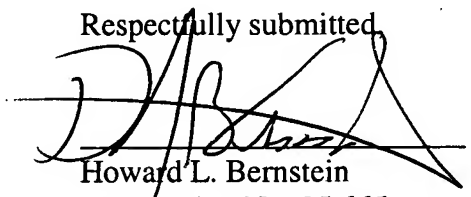
One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,



Howard L. Bernstein
Registration No. 25,665

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
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CUSTOMER NUMBER

Date: August 12, 2004

Substitute for Form 1449 A & B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet	1	of	1

Complete if Known	
Application Number	10/766,011
Confirmation Number	2008
Filing Date	January 29, 2004
First Named Inventor	Masataka ANDOH
Art Unit	1631
Examiner Name	Unknown
Attorney Docket Number	Q79665

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document: Country Code[3]	Foreign Patent Document: Number[4]	Foreign Patent Document: Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation[6]

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation[6]
		Newton et al., "On Differential Variability of Expression Ratios: Improving Statistical Inference about Gene Expression Changes From Microarray Data", Journal of Computational Biology, Vol. 8, No. 1, 2001, pages 37-52.	
		Lee et al., "Importance of Replication in Microarray Gene Expression Studies: Statistical Methods and Evidence from Repetitive cDNA, Hybridizations", Proceedings of the National Academy of Sciences, 2000, Vol. 97, No. 18, pages 9834-9839.	
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Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1]Applicant's unique citation designation number (optional). [2]See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). [4]For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5]Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. [6] Applicant is to indicate here if English language Translation is attached.